

REMARKS

Claims 1, 4-7, 10-13 and 15-25 are currently pending in this application. The Examiner is thanked for the allowance of claims 1, 4-7, 10-13, 15, 16 and 21- 25. Claims 17-20 are provisionally rejected under the judicially created doctrine of obvious-type double patenting.

The Rejection of Claims 17-20

Claims 17-20 stand provisionally rejected under the judicially created doctrine of obvious-type double patenting with respect to claims 17-20 of co-pending Application No. 09/633,497 ("the '497 application") in view of Rhie et al. This is the only rejection remaining in this application.

As set forth in MPEP 804(I)(B), a provisional double patenting rejection between two pending applications should only be continued until that is the only rejection remaining in at least one of the applications. The pertinent paragraph is set forth below:

The "provisional" double patenting rejection should continue to be made by the examiner in each application as long as there are conflicting claims in more than one application unless that "provisional" double patenting rejection is the only rejection remaining in at least one of the applications. MPEP 804(I)(B), paragraph 2.

Since the provisional obvious-type double patenting rejection is the only one remaining in this application, the rejection of claims 17-20 should be withdrawn.

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Conclusion

All claims being patentable, the Examiner is requested to withdraw all rejections and objections to the claims and to allow the case to issue. If in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is encouraged to call the undersigned at (650) 838-4443.

Respectfully submitted,
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